

Kansas Department of Health and Environment  
Proposed Amended Regulation

Article 24. Sanitary Regulations for the Practice of Cosmetology,  
Nail Technology, Electrology, or Esthetics

28-24-1. Definitions. (a) "Apprentice" has the meaning specified in K.S.A. 65-1901, and amendments thereto.

(b) "Bleach solution" means a mixture consisting of one part liquid bleach and nine parts water. The solution shall be kept in a closed container, and a fresh solution shall be made at least once every 24 hours.

(c) "Communicable disease or condition" means a disease or condition that is diagnosed by a licensed health care professional as being contagious or transmissible and that can be transmitted in the practice of cosmetology, nail technology, electrology, or esthetics.

(d) "Consumer" means a person who receives services from a licensed cosmetologist, electrologist, manicurist, esthetician, or cosmetology technician.

(e) "EPA" means the United States environmental protection agency.

(b) (f) "Establishment" means any place licensed by the board of cosmetology where cosmetology, nail technology, electrology, or esthetics is practiced, other than a cosmetology school.

(g) "FDA" means the food and drug administration of the United States department of health and human services.

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~~(c)~~ (h) "Licensee" means any person licensed as a cosmetologist, cosmetology technician, manicurist ~~or~~, electrologist, esthetician, or instructor.

(i) "Mobile establishment" means a self-contained, enclosed mobile unit licensed for the practice of one or more of the following:

(1) Cosmetology;

(2) nail technology;

(3) esthetics; and

(4) electrology.

(j) "Noninvasive," when used to describe procedures or services, means the procedures or services confined to the nonliving cells of the epidermis found in the stratum corneum layer of the skin. The practice of cosmetology, nail technology, or esthetics shall not alter, cut, or damage any living cells.

(k) "Operator" means the person who is licensed to operate an establishment or school.

(l) "Product" means any liquid, cream, powder, spray, or other material used on the consumer in the practice of cosmetology, electrology, nail technology, or esthetics.

(m) "Protective gloves" means gloves made of vinyl or latex or of an alternate material that provides equivalent protection.

~~(d)~~ (n) "School" means any place licensed by the board of cosmetology for the training of cosmetologists, ~~cosmetology technicians~~, manicurists ~~or~~, estheticians, electrologists, and instructors-in-training.

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~~(e) "Student" means a person receiving training in a school.~~

(o) "Single-use," when used to describe products or items, means products or items intended to be disposed of immediately after one use.

(p) "Universal precautions" means the following guidelines and controls published by the centers for disease control (CDC), which are hereby adopted by reference:

(1) "Guidelines for prevention of transmission of human immunodeficiency virus and hepatitis B virus to health-care and public-safety workers: a response to P.L. 100-607, the health omnibus programs extension act of 1988," as published in morbidity and mortality weekly report (MMWR) on June 23, 1989, vol. 38, no. S-6; and

(2) "recommendations for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures," as published in morbidity and mortality weekly report (MMWR) on July 12, 1991, vol. 40, no. RR-08.

(Authorized by and implementing K.S.A. ~~1991~~ Supp. 65-1,148; effective Jan. 4, 1993; amended P-\_\_\_\_\_.)

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28-24-2. Personal cleanliness. (a) ~~The person and the uniform or attire worn by an individual serving a patron shall at all times be clean. The uniform or attire shall cover the body from the shoulders to midthigh, including the armpits. Short sleeves shall be acceptable. Each licensee or apprentice shall thoroughly wash that person's hands with liquid soap and water or with any equally effective cleansing solution before serving each consumer.~~

(b) ~~Each person shall thoroughly wash that person's hands with soap and water or any equally effective cleansing solution before serving each patron. Each licensee or apprentice serving a consumer shall be clean at all times. This requirement shall include the uniform or attire worn by the licensee or apprentice.~~ (Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Jan. 2, 1998; amended P-\_\_\_\_\_.)

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28-24-3. ~~Infectious disease~~ Communicable diseases or conditions; universal precautions. (a) No ~~person licensee or apprentice~~ afflicted with ~~an infectious or~~ a communicable disease or condition, which may be transmitted during the performance of the acts of cosmetology as defined in K.A.R. 28-24-1, shall be permitted to work or train in a school or establishment.

(b) No ~~school or establishment operator~~ shall require or permit a ~~student~~ an apprentice or licensee, ~~knowingly; to work upon~~ provide cosmetology, nail technology, esthetic, or electrology services to a person consumer known to be suffering from ~~any infectious or~~ a communicable disease which may be transmitted during the performance of the acts of cosmetology or condition.

(c) ~~Unused disposable gloves shall be worn by a student or licensee~~ If there is a likelihood of exposure to blood or body fluids while ~~working~~ practicing cosmetology, nail technology, esthetics, or electrology, the apprentice or licensee shall wear single-use protective gloves and shall adhere to universal precautions when exposed to blood or body fluids.

(d) If a blood spill occurs, the licensee or apprentice shall perform all of the following procedures:

(1) Stop service immediately;

(2) don protective gloves;

(3) clean the injured area with an antiseptic solution and cover the wound with a sterile bandage to prevent further blood exposure;

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(4) double-bag and dispose of all contaminated items;

(5) clean and disinfect all equipment, tools, and implements that have come in contact with the blood; and

(6) clean the station with disinfectant. (Authorized by and implementing K.S.A. 1991  
Supp. 65-1,148; effective Jan. 4, 1993; amended P-\_\_\_\_\_.)

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28-24-4. Towels, robes, and linens. (a) After a towel, robe, or linen has ~~once~~ been used once, it ~~the licensee or apprentice shall be deposited~~ deposit the item in a closed and labeled receptacle and shall not ~~again be used~~ use the towel, robe, or linen again until the item has been properly laundered and sanitized.

(b) Each licensee or apprentice shall launder used towels ~~shall be laundered~~, robes, and linens using either by regular commercial laundering or by a noncommercial laundering process including immersion in which the towels, robes, and linens are immersed in water with a temperature of at least 140 degrees Fahrenheit for no fewer than at least 15 minutes during the washing or rinsing operation.

(c) ~~Laundering facilities shall be in an area not open to the public.~~

(d) Each licensee or apprentice shall store all clean towels ~~shall be stored~~, robes, and linens in a clean, closed, and labeled cabinet. (Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Jan. 2, 1998; amended P-\_\_\_\_\_.)

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28-24-5. Headrests, shampoo bowls, treatment tables, and sinks. ~~(a) The headrest of chairs shall be covered with a clean towel or paper sheet for each patron.~~ Each licensee or apprentice shall sanitize the shampoo bowls, back bars, service chairs, manicure and treatment tables, sinks, non-porous surfaces, and workstation areas before each consumer service. Each treatment table or manicure table shall be covered with a clean sheet of examination paper or a clean towel or linen for each consumer service. Each item, except for any single-use item, that comes into contact with skin shall be disinfected before the item is used in providing services to another consumer.

~~(b) Shampoo trays and bowls must be cleansed with soap and water or other detergent after each shampoo, kept in good repair and in a sanitary condition at all times.~~

~~(c) Treatment tables must be covered with a clean sheet of examination paper or cloth for each patron.~~

~~(d) Each licensed cosmetology salon shall have at least one shampoo bowl with shampoo spray, in working order at all times, to be used with hot and cold running water. All other licensed establishments shall have at least one handwashing sink with hot and cold running water in the work area.~~

~~(e) All schools shall have at least two handwashing sinks with hot and cold running water in the work area.~~ (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Jan. 4, 1993; amended P-\_\_\_\_\_.)

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28-24-6. Bottles and containers. ~~All bottles~~ Each licensee or apprentice shall ensure that each  
bottle and containers container in use shall be distinctly and correctly labeled to disclose ~~their~~ the  
contents. ~~All bottles~~ In addition, each bottle or container containing any poisonous or caustic  
~~substances~~ substance shall be ~~additionally and~~ distinctly marked as such and shall be stored in an  
area that is not open to the public. (Authorized by and implementing K.S.A. ~~1991 Supp.~~ 65-  
1,148; effective Jan. 4, 1993; amended P-\_\_\_\_\_.)

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28-24-7. ~~Liquids, creams, powders and other preparations~~ Products. (a) Each licensee or apprentice shall keep all liquids, creams, and other preparations shall be kept products in properly labeled, clean, and closed containers. ~~Powders shall be kept in a clean shaker.~~


(b) When only a portion of a ~~preparation product~~ is to be used on a ~~patron~~ consumer, ~~it the licensee or apprentice shall be removed~~ remove the product from the container in such a way as that does not ~~to~~ contaminate the remaining portion. If the product is removed from bulk supply and prepared for a single consumer, the licensee or apprentice shall discard any portion that is not used during that consumer's service.

(c) Each licensee or apprentice shall maintain all products in a manner that keeps the products free of contaminants.

(d) A licensee or apprentice shall not use in any establishment or school any product banned or restricted by the FDA for use in cosmetology, nail technology, esthetics, or electrology. (Authorized by and implementing K.S.A. ~~1991~~ Supp. 65-1,148; effective Jan. 4, 1993; amended P-\_\_\_\_\_.)

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28-24-8. ~~Neck strips~~ Instruments and supplies. (a) Each licensee or apprentice shall use a sanitary neck strip or towel ~~shall be used~~ to keep the protective covering from coming in direct contact with a patron's the neck of each consumer receiving cosmetology services.

(b) Each licensee or apprentice shall dispose of any supplies or instruments that come in direct contact with a consumer and cannot be disinfected or sterilized. These supplies or instruments shall be disposed of in a covered waste receptacle immediately after the single use.

(c) Each licensee or apprentice shall immediately dispose of any single-use material coming into contact with blood or other bodily fluids. The contaminated material shall be double-bagged, sealed, and disposed of. All needles and any other sharp items shall be disposed of in a sharps container.

(d) Each sanding band used on an electric file shall be a single-use item. The licensee or apprentice shall dispose of each sanding band after it is used.

(e) Each licensee or apprentice shall properly disinfect each metal bit for an electric file after each use on a consumer and then shall store the bit in a clean, closed, and labeled container until its next use.

(f) No licensee or apprentice shall be permitted to carry any instrument or supplies in or

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on a garment or uniform, including an instrument belt and an instrument organizer. (Authorized  
by and implementing K.S.A. ~~1991~~ Supp. 65-1,148; effective Jan. 4, 1993; amended  
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~~28-24-9. Instruments and supplies. (a) All supplies and instruments which come in direct contact with a patron and cannot be disinfected, including but not limited to cotton pads, emery boards used on natural nail, and neck strips, shall be disposed of in a covered waste receptacle immediately after use.~~

~~(b) No person training or working in a school or establishment shall be permitted to carry any instrument or supplies in or on a garment or uniform such as instrument belts or instrument organizers.~~ Pedicure equipment. For the purposes of this regulation, the term "pedicure equipment" shall mean any apparatus that holds water for the purpose of pedicure service. Each cosmetologist or manicurist and each apprentice of nail technology or cosmetology shall disinfect and maintain all pedicure equipment according to this regulation.

(a) Each cosmetologist or manicurist and each apprentice of nail technology or cosmetology shall perform all of the following:

- (1) Drain the pedicure equipment of all water and remove all debris from the equipment;
- (2) clean the surfaces and walls of the equipment with soap or detergent and rinse with clean warm water;
- (3) circulate a bleach solution or an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, virucidal, and tuberculocidal activity used according to the

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manufacturer's instructions through the equipment for 10 minutes and then drain and rinse the equipment with warm clean water; and

(4) wipe the equipment dry with a clean towel.

(b) At the end of each day, each cosmetologist or manicurist and each apprentice of nail technology or cosmetology shall perform the following:

(1) Drain the pedicure equipment of all water and remove all debris from the equipment;

(2) remove all debris trapped behind any removable parts of the equipment;

(3) (A) Wash all removable parts and the inlet with soap or detergent and then with a bleach solution; or

(B) totally immerse all removable parts and the inlet in an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, virucidal, and tuberculocidal activity used according to the manufacturer's instructions;

(4) replace all removable parts;

(5) flush the equipment with soap and water for 10 minutes and then rinse, drain, and allow the equipment to air-dry.

(c) Each week, each cosmetologist or manicurist and each apprentice shall ensure that all of the following cleaning and disinfecting procedures are followed:

(1) After the cleaning procedures specified in subsection (b) are followed, the pedicure equipment shall be filled with bleach solution, which shall be circulated through the system for five to 10 minutes before the jets are turned off.

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(2) The bleach solution shall be allowed to remain in the equipment for at least six hours. Then the equipment shall be drained and flushed with warm clean water.

(3) Each operator shall maintain a record of the date and time of this cleaning and disinfecting process. The record shall be maintained and made available upon request by a consumer, the board, or the board's designee. (Authorized by and implementing K.S.A. 1991  
Supp. 65-1,148; effective Jan. 4, 1993; amended P-\_\_\_\_\_.)

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28-24-10. Disinfecting nonelectrical instruments and equipment. (a) ~~Before use upon a patron,~~  
~~all~~ Each licensee or apprentice shall disinfect each nonelectrical ~~instruments and equipment shall~~  
~~be disinfected~~ instrument or piece of equipment in the following manner before it is used on a  
consumer:

- (1) Clean the instrument or equipment with soap or detergent and with water; ~~and~~
- (2) rinse the instrument or equipment with clean water; and
- (3) use one of the following disinfection methods:

(A) Totally immerse the instrument or equipment in an EPA-registered, hospital-grade disinfectant ~~with that has~~ demonstrated bactericidal, fungicidal, and virucidal activity when used according to the manufacturer's instructions and then rinse the instrument or equipment with  
clean water; or

(B) totally immerse the instrument or equipment in bleach solution for 10 minutes and  
then rinse the instrument or equipment with clean water.

(b) ~~All~~ Each licensee or apprentice shall immediately disinfect each nonelectrical  
~~instruments and~~ instrument or piece of equipment that ~~have~~ has come in contact with blood or  
other body fluids. The instrument or equipment shall be disinfected in the following manner:

- (1) Clean with soap or detergent and with water; ~~and~~
- (2) rinse with clean water; and

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(2) ~~(3)~~ totally immerse in an EPA-registered, hospital-grade disinfectant ~~with that has~~ demonstrated bactericidal, fungicidal, virucidal, and tuberculocidal activity when used according to the manufacturer's instructions and rinse with clean water.

(c) Each licensee and apprentice shall ensure that the disinfectant solutions or bleach solution specified in sections subsections (a) and (b) shall remain are prepared, available for use, and covered at all times, and EPA-registered disinfectants shall be changed at least once per week or more frequently, as when often if the solution becomes visibly cloudy or dirty. A bleach solution shall be prepared daily or more often if the solution becomes diluted or dirty.

(d) ~~Manufacturer-labeled containers~~ For the each disinfectant solutions used as specified in sections subsections (a) and (b), one of the following shall be available at all times in the establishment or school and shall be provided upon request to the board of cosmetology or the board's designee:

(1) The manufacturer's material safety data sheet (MSDS); or

(2) the manufacturer-labeled container.

(e) ~~All non-disinfected instruments~~ Each instrument that ~~have~~ has been used on a patron consumer or soiled in any manner shall be placed in a properly labeled, covered receptacle until the instrument is disinfected.

(f) All disinfected instruments shall be stored in a properly labeled, clean, enclosed cabinet or covered container reserved for clean instruments only.

(g) ~~If The electrolysis instruments and equipment specified in this regulation that are sterilized in accordance with the requirements outlined in K.A.R. 28-24-12; shall not be subject~~

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to the requirements of this ~~section shall be deemed to have been met~~ regulation. (Authorized by  
and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Jan. 2, 1998; amended  
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28-24-11. Disinfecting electrical instruments. (a) ~~Clippers, vibrators, and other electrical instruments shall be disinfected prior to each use by~~ Each licensee or apprentice shall disinfect each instrument in the following manner before providing any service to each consumer:

(1) ~~First removing~~ Remove all foreign matter from the instrument; and

(2) use one of the following disinfection methods:

(A) ~~Disinfecting~~ Completely saturate the portion of the electrical instrument that comes in contact with the consumer with a bleach solution or with an EPA-registered a disinfectant with liquid spray or foam that is EPA-registered and has demonstrated bactericidal, fungicidal, and virucidal activity when used according to the manufacturer's instructions; or

(B) with a bleach solution, completely saturate the portion of the electrical instrument that comes into contact with the consumer, and then rinse that portion of the electrical instrument with clean water.

(b) All electrical instruments and equipment that have come in contact with blood or other body fluids shall be disinfected immediately in the following manner:

(1) Remove all foreign matter from the instrument; and

(2) use one of the following disinfection methods:

(A) Completely saturate the portion of the electrical instrument that comes in contact with the consumer with a bleach solution or with a disinfectant liquid spray or foam that is EPA-

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registered and has demonstrated bactericidal, fungicidal, virucidal, and tuberculocidal activity when used according to the manufacturer's instructions; or

(B) with a bleach solution, completely saturate the portion of the electrical instrument that comes into contact with the consumer, and then rinse the instrument with clean water.

(c) ~~At~~ Each disinfected electrical instruments instrument shall be stored in a properly labeled, clean, covered place enclosed cabinet or covered container reserved for clean instruments only. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Jan. 4, 1993; amended P-\_\_\_\_\_.)

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~~28-24-12. Sterilizing electrolysis instruments. (a) Before use upon a patron, each electrolysis needle, needle tip and tweezer shall be first cleaned with detergent and water which may include the use of ultrasonic equipment and then be sterilized by one of the following methods:~~

~~(1) Steam sterilizer, registered and listed with the federal Food and Drug Administration, used according to manufacturer's instructions; or~~

~~(2) dry heat sterilizer, registered and listed with the federal Food and Drug Administration, used according to manufacturer's instructions;~~

~~(b) Sterilization equipment shall be checked weekly to ensure that it is reaching the temperature required by manufacturer's instructions;~~

~~(c) Sterilized equipment shall be stored in a closed sterile container.~~

~~(d) A separate sterilized vial for holding tweezers and needle during treatment shall be provided for each patron.~~

~~(e) Re-use of needles for different patrons is prohibited.~~

~~(f) Needles and other sharp equipment shall be disposed of in a puncture resistant container.~~

~~(g) All surfaces of counters, furniture, and equipment in treatment areas shall be made of smooth, non-porous materials. Surfaces shall be cleaned using an EPA-registered disinfectant~~

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according to manufacturer's instructions or a freshly prepared solution of no less than one part liquid bleach to 100 parts water. Electrolysis equipment and practices. Only single-use equipment or sterilized equipment shall be used on a consumer. (a) Each licensee or apprentice shall first clean all non-single-use nonelectrical equipment that comes in contact with a consumer by performing each of the following steps after each use and before sterilization:

(1) Clean the equipment with warm, soapy water with detergent to remove visible debris;

(2) rinse and air-dry the equipment; and

(3) immerse the equipment in an ultrasonic unit that is operated in accordance with the manufacturer's instructions and that contains water and either a protein-dissolving detergent or an enzyme cleaner.

(b) Each licensee or apprentice shall ensure that all non-single-use nonelectrical equipment has been sterilized by adhering to either or both of the following practices:

(1) Placing reuseable instruments in sterilization bags with color strip indicators and then placing the bags in a steam autoclave sterilizer that is approved and listed by the FDA and that is used, cleaned, and maintained according to the manufacturer's directions; or

(2) using single-use, prepackaged, sterilized equipment obtained from suppliers or manufacturers.

(c) (1) Each steam autoclave sterilizer shall be tested on a monthly basis for functionality and thorough sterilization by both of the following means:

(A) Chemical indicators that change color, to ensure sufficient temperature and proper functioning of equipment during the sterilization cycle; and

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(B) a biological monitoring system using commercially prepared spores, to ensure that all microorganisms have been destroyed and sterilization has been achieved.

(2) Each operator shall maintain a log at the establishment with the date and results of each monthly test for a minimum of three years and shall make the records available for review at any time by the board or the board's designee.

(3) A copy of the manufacturer's procedural manual for operation of the steam autoclave sterilizer shall be available for inspection by the board or the board's designee.

(4) A steam autoclave sterilizer shall not be located in a public access area.

(d) Each licensee or apprentice shall place only the single-use equipment or sterilized equipment to be used for each consumer on a clean field and shall replace the clean field with a new clean field after each consumer.

(e) If bleeding occurs during the treatment, the licensee or apprentice shall immediately dispose of the needle during the remainder of the consumer service.

(f) Each licensee or apprentice shall dispose of each needle and any other sharp equipment in a puncture-resistant, leakproof container that can be securely closed for the handling, storage, transportation, and disposal of sharps. The container shall be red and shall be labeled with the biohazard symbol.

(g) The surface of each counter, each piece of furniture, and each piece of equipment in each area where a consumer is served shall be made of smooth, nonporous materials. Each licensee or apprentice shall clean these surfaces using either an EPA-registered disinfectant according to the manufacturer's instructions or a bleach solution. (Authorized by and

implementing K.S.A. 1991-Supp. 65-1,148; effective Jan. 4, 1993; amended

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28-24-13. Physical facilities. (a) The operator of each school or establishment shall ~~be kept~~ meet the following requirements:

(1) Keep the school or establishment well lighted; ~~in a sanitary condition;~~ and well ventilated by natural or mechanical methods that remove or exhaust fumes, vapor, or dust to prevent hazardous conditions from occurring and to allow the free flow of air in a room in proportion to the size and the capacity of the room; and

(2) keep the floors, walls, ceilings, furniture and other fixtures and apparatus, and all other exposed surfaces in each school or establishment ~~shall be kept~~ clean, free of dust, hair and other debris, and in good repair at all ~~time~~ times. All curtains shall be kept carefully laundered or chemically cleaned.

(b)(1) Except as provided in paragraph (b)(2), if a room used for residential purposes is ~~the same room also used for~~ or is adjacent to a room used for the practice of cosmetology, nail technology, esthetics, or electrology, then a solid partition shall separate the portion of the premises used for residential purposes from the ~~cosmetology~~ licensed area. The partition may contain a door; if it remains closed, except for entering and leaving.

(2) Each establishment that has an initial license issued on or after December 31, 2007 and that is located in a residence shall have a separate, outside entrance to the establishment.

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(c) If a room used for ~~non-cosmetology~~ nonlicensed business purposes is ~~the same room~~ also used for or is adjacent to a room used for the practice of cosmetology, nail technology, esthetics, or electrology and if ~~there are conditions that~~ the board of cosmetology, upon consultation with the secretary of health and environment, ~~considers~~ determines that the proximity of the licensed or nonlicensed activities poses a possible threat to the health of the employees, the ~~customers~~ consumers, or the public, then the operator of the school or establishment may be required by the board to meet one or more both of the following provisions may be required by the board of cosmetology to be met. requirements:

(1) A solid partition shall separate the portion of the premises used for non-cosmetology nonlicensed business purposes from the cosmetology licensed area. The partition may contain a door; if it remains closed, except for entering and leaving.

(2) A separate, outside entrance shall be provided for the school or establishment.

(d) ~~All schools or establishments~~ Each school or establishment shall ~~be supplied with sanitary drinking water facilities~~ have a safe water supply.

(e) Each establishment ~~and school~~ shall have a at least one restroom. Each restroom shall include at least one working toilet and handwashing one hand-washing sink, that with a liquid soap dispenser and either disposable towels or an air dryer. The operator shall be kept keep each restroom in a sanitary condition, and Each restroom shall be located in or adjacent to the establishment within the building in which the establishment is housed.

(f) Each ~~handwashing sink~~ school shall have a at least two restrooms. Each restroom shall have at least one working toilet and one hand-washing sink, with a liquid soap dispenser

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and either disposable towels or an air dryer for hands. The operator shall keep each restroom in a sanitary condition.

(g) The following requirements shall apply to each mobile establishment:

(1) All equipment shall be securely anchored to the mobile establishment.

(2) No services shall be performed while the mobile establishment is in motion.

(3) Each mobile establishment shall have the following:

(A) A hand-washing sink that has hot and cold running water;

(B) one five-pound, type ABC fire extinguisher, which shall be mounted in full view;

(C) a self-contained supply of potable water. The water tank shall have a capacity of at least 100 gallons, and the holding tanks shall have at least the same capacity; and

(D) one or more self-contained, recirculating, flush chemical toilets with a holding tank.

(Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Jan. 2, 1998; amended P-\_\_\_\_\_.)

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3-30-07

Kansas Department of Health and Environment  
Proposed Amended Regulation

Article 24. Sanitary Regulations for the Practice of Cosmetology,  
Nail Technology, Electrology, or Esthetics

28-24-14. Prohibitions. (a) The following shall be prohibited in ~~the working~~ any area of an establishment or school in which consumers are provided service:

- (1) Smoking, eating, possessing or consuming alcoholic beverages, or preparing food preparation;
- (2) ~~alcoholic beverages~~;
- (3) using neck dusters or nail dusters;
- (4) (3) animals, except for trained animals accompanying disabled persons possessing any animal in the establishment or school. This prohibition shall not apply to any assistance dog, as defined in K.S.A. 39-1113 and amendments thereto;
- (5) ~~sleeping facilities, except cribs and playpens~~;
- (6) (4) using devices, tools, or instruments to remove calluses or skin blemishes;
- (7) (5) using invasive skin-removal techniques, products, and practices that affect the living layers of skin remove viable cells that are deeper than the stratum corneum; and
- (8) ~~application of electricity that contracts the muscle; and~~
- (9) (6) placing waste in open waste containers.

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(b) ~~No~~ The operator of a school or establishment shall not permit an excessive accumulation amounts of waste, or refuse, or any other items that could cause a hazard to accumulate on the premises of the school or establishment. (Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Jan. 2, 1998; amended P-\_\_\_\_\_.)

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4-2-07

Kansas Department of Health and Environment  
Proposed Amended Regulation

Article 24. Sanitary Regulations for the Practice of Cosmetology,  
Nail Technology, Electrology, or Esthetics

28-24-15. ~~Rules and Posting of regulations, licenses, posted and inspection reports.~~ (a) The operator of each school or establishment shall keep post a copy of the sanitation regulations adopted by the Kansas department of health and environment this article, the most recent inspection report for the school or establishment, and the license of the school or establishment posted in a conspicuous place that is in the direct view of the public.

~~(b) Each employee shall post their personal license at their work station.~~ (Authorized by  
and implementing K.S.A. ~~1991~~ Supp. 65-1,148; effective Jan. 4, 1993; amended

P-\_\_\_\_\_.)

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12-4-06

Kansas Department of Health and Environment  
Proposed Revocation

Article 24. Sanitary Regulations for the Practice of Cosmetology,  
Nail Technology, Electrology, or Esthetics

28-24-16. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Jan. 4, 1993;  
revoked P-\_\_\_\_\_.)

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